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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fourth session
Agenda item 8

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Draft resolution submitted by Mr. Al-Khasawneh, Mrs. Forero Ucros, Mr. Khalifa, Mr. Maxim, Mr. Saboia and Mr. Sachar

1992/.. Realization of economic, social and cultural rights

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Mindful that the Universal Declaration of Human Rights provides that all persons are entitled to the realization of the economic, social and cultural rights which are indispensable to their dignity and the free development of their personality,

Convinced that, in accordance with the Universal Declaration of Human Rights, the Proclamation of Tehran and General Assembly resolution 32/130 of 16 December 1977, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Concerned that the implementation and promotion of economic, social and cultural rights and the obstacles to their realization have not yet received sufficient attention within the framework of the United Nations system,

Concerned at the negative effects of structural adjustment programmes upon the realization of economic, social and cultural rights,

Recalling Commission on Human Rights resolution 1992/10 of 21 February 1992,

Welcoming the contacts established by the Special Rapporteur with international financial institutions, including the World Bank and the International Monetary Fund, and the dialogue which has started between these institutions and the human rights bodies,

Taking note of the Human Development Report 1992 of the United Nations Development Programme and the World Development Report 1992 of the World Bank,

1. Expresses its deep appreciation to the Special Rapporteur, Mr. Danilo Türk, for his final report on the realization of economic, social and cultural rights (E/CN.4/Sub.2/1992/16) and endorses the recommendations contained in paragraphs 202 to 246;

2. Urges the international and financial institutions, in particular the World Bank and the International Monetary Fund, to take greater account of the adverse impacts of their policies and programmes of structural adjustment on the realization of economic, social and cultural rights;

3. Also urges the international financial institutions to continue, on an ongoing basis, their full participation in the work and debates of the human rights bodies of the United Nations and to take into account the recommendations contained in paragraphs 231 to 243 of the final report of the Special Rapporteur;

4. Urges all States to take serious note of and act upon the recommendations contained in paragraphs 218 to 230 of the final report of the Special Rapporteur;

5. Encourages the United Nations Development Programme, the World Bank and other international programmes and agencies to cooperate with the Centre for Human Rights in devising a consistent approach to the selection and use of indicators in the field of human rights with a view to developing a methodology for assessing the impact of development programmes on the enjoyment of human rights;

6. Notes with appreciation the approval by the Commission on Human Rights in its resolution 1991/18 of 1 March 1991 and the Economic and Social Council in its decision 1991/235 of 31 May 1991 of the convening of a United Nations expert seminar on the use of social and economic indicators in monitoring the realization of economic, social and cultural rights, and recommends that the study on the realization of economic, social and cultural rights, as prepared by the Special Rapporteur, be included in the documentation for the seminar;

7. Encourages expert members of the Sub-Commission and the Committee on Economic, Social and Cultural Rights, as well as technical experts from the Department of Economic and Social Development, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Research Institute for Social Development, the specialized agencies and the World Bank to participate in the seminar;

8. Invites the United Nations Statistical Office to collaborate with the Centre for Human Rights in preparing, for the use of the seminar and of the Sub-Commission, a list of statistical indicators currently available in the United Nations system, organized in accordance with the provisions of the International Covenant on Economic, Social and Cultural Rights, and of recommendations for additional relevant indicators which may be collected through existing mechanisms;

9. Decides to consider, at its forty-fifth session, the possibility of examining in a future study the subject of income distribution and the realization of economic, social and cultural rights and the issue of the justiciability of economic, social and cultural rights;

10. Requests the Commission on Human Rights:

(a) To forward its views to the Committee on Economic, Social and Cultural Rights as to the practical feasibility of drafting an optional protocol to the International Covenant on Economic, Social and Cultural Rights granting individuals and groups the right to submit communications alleging non-compliance by States parties, whether by act or omission, with the provisions of the Covenant;

(b) To consider the desirability of appointing thematic rapporteurs entrusted with investigating economic, social and cultural rights and reporting thereon;

11. Requests the Secretary-General:

(a) To ensure the widest possible distribution of the progress reports of the Special Rapporteur throughout the United Nations system, especially among programmes and agencies with mandates in the economic, social and cultural fields, including the Administrative Committee on Coordination, the United Nations Children's Fund, the United Nations Development Programme, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Bank and the International Monetary Fund;

(b) To prepare basic policy guidelines on structural adjustment and economic, social and cultural rights, which could serve as a basis for a continued dialogue between human rights bodies and the international financial institutions;

(c) To invite the international financial institutions to consider the possibility of organizing an expert seminar on the role of these institutions in the realization of economic, social and cultural rights, examining in particular the creation of a United Nations system-wide approach to internationally recognized human rights;

(d) To inform the Sub-Commission, at its forty-fifth session, of the progress achieved in the implementation of the recommendation contained in paragraph 217 of the final report of the Special Rapporteur.